

[Advisory Opinion 1992-5]
ADVISORY OPINION 92-31

The Ethics Commission has reviewed your request dated May 15, 1992, to investigate the involvement of the Montgomery County Housing Opportunities Commission (HOC) in Rezoning Application G692 filed by (names of person, organization).

You allege that HOC has agreed with (name of organization) to support the Rezoning Application in exchange for a donation of 16 residential units. You ask the Ethics Commission to void the agreement between HOC and (name of organization), expunge from the Rezoning Application hearing record HOC's testimony, and bar HOC from any further participation in the Rezoning Application.

The Montgomery County Public Ethics Law governs the conduct of individual public employees; the ethics law does not govern policy decisions made by a government agency unless the decision involves a matter relating to the private financial affairs of the government decision-maker. The Ethics Commission has carefully reviewed your letter and does not find that it alleges facts sufficient to state a violation of the ethics law. Accordingly, the Ethics Commission declines to pursue this matter.

If you have further questions regarding this matter, please do not hesitate to contact the Commission.

Date of Issue:7/1/92